

Proposition 28
Limits on Legislators' Terms in Office.
Initiative Constitutional Amendment.

Background

Existing Legislative Term Limits. Proposition 140, passed by the state's voters at the November 1990 election, changed the State Constitution to create term limits for Members of the California Legislature. The Legislature has two houses: the State Assembly and the State Senate. Currently, an individual's service generally is restricted to three two-year terms in the Assembly (a maximum of six years) and two four-year terms in the Senate (a maximum of eight years). This means that individuals generally cannot serve more than 14 years in the Legislature. An exception is when an individual serves additional time by finishing out less than one-half of the term of another person who left the Legislature (for example, due to resignation).

Proposal

This measure, a state constitutional amendment, makes changes to legislative term limits. Senators and Assembly Members who were first elected to the Legislature on or before the date of this election (June 5, 2012) would continue to be subject to the current legislative term limits in the Constitution. Future legislators—that is, legislators first elected after the date of this election—would be subject to the new term limits.

Reduces Total Number of Years in the Legislature. This measure reduces to 12 years the total number of years that a future legislator may serve in the Legislature during his or her lifetime.

Increases Total Number of Years That Can Be Served in One House. This measure allows future legislators to serve in either house of the Legislature for up to 12 years. Accordingly, an individual could be elected to up to six two-year terms in the Assembly or up to three four-year terms in the Senate. This means that future legislators could serve for a longer period of time in a single house of the Legislature than is currently the case. Alternatively, an individual could be elected to serve in one house of the Legislature and then be elected to the other house, but his or her total service in the Legislature would be limited to no more than 12 years.

Fiscal Effects

This measure would have no direct fiscal effect on state and local governments. By altering term limits for Members of the Legislature, however, it likely would change which individuals serve in the Assembly and the Senate at any given time. This different composition of the Assembly and the Senate might lead to different decisions being made than otherwise would be the case (for example, on legislation and the state budget). However, these decisions and any effect that they might have on state and local spending and revenues cannot be predicted.